

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
NORTHERN DIVISION**

**TIFFANY DRIVER**

**PLAINTIFF**

**VS.**

**3:19CV00086 JM**

**RUBEN HERNANDEZ**

**DEFENDANT**

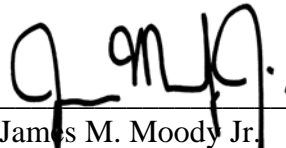
**ORDER**

In the pending motion, Plaintiff asks the Court to deem admitted her Requests for Admission propounded on the Defendant on February 8, 2020. There has been no response from the Defendant. In fact, there has been no communication from the Defendant in months, even when directed to do so by the Court.

Rule 36 provides that a party, within the permissible scope of discovery, may serve on any other party a written request to admit the truth of any matters relating to facts or the application of law to fact. *See Quasius v. Schwan Food Co.*, 596 F.3d 947 (8th Cir. 2010). “A matter is admitted unless, within 30 days after being served, the party to whom the request is directed serves on the requesting party a written answer or objection addressed to the matter and signed by the party or its attorney.” Fed. R.Civ. P. 36(a)(3). “When a matter is admitted, it is ‘conclusively established’ for purposes of the action, “unless the court, on motion, permits the admission to be withdrawn or amended.” *Quasius*, 596 F.3d at 950.

Pursuant to Rule 36(a)(3), the Court deems admitted Plaintiff’s Requests for Admission which are listed in, and attached to, this motion. (ECF No. 26, 26-1). Plaintiff’s motion (ECF No. 26) is GRANTED.

IT IS SO ORDERED this 7th day of April, 2020.

  
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James M. Moody Jr.  
United States District Judge